

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

JERIANNE R. VOORHEES,

Plaintiff,

v.

KILOLO KIJAKAZI,
Acting Commissioner of the Social Security
Administration,

Defendant.

Case No.: 2:20-cv-00916-JDP

STIPULATION AND ORDER FOR THE
AWARD OF ATTORNEY FEES PURSUANT
TO THE EQUAL ACCESS TO JUSTICE
ACT, 28 U.S.C. § 2412

ECF Nos. 29, 31

IT IS HEREBY STIPULATED by and between the parties through their undersigned counsel, subject to the approval of the Court, that Plaintiff be awarded attorney fees, expenses, and costs in the above-entitled action in the amount of \$5,531.28, consisting of \$5,509.98 in fees and \$21.30 in expenses under the Equal Access to Justice Act (EAJA), 28 U.S.C. § 2412(d). This amount represents compensation for all legal services and expenses incurred on behalf of Plaintiff by counsel in connection with this civil action.

Upon the Court's issuance of an order granting EAJA fees to Plaintiff, the government will determine the issue of Plaintiff's assignment of EAJA fees to Plaintiff's attorney. Pursuant to Astrue v. Ratliff, 560 U.S. 586, 597-598 (2010), the ability to honor the assignment will depend on if the fees are subject to any offset allowed under the United States Department of the Treasury's Offset Program. After the order for EAJA fees is entered, the government will determine whether they are subject to any offset.

Fees shall be made payable to Plaintiff, but if the Department of the Treasury determines

1 that Plaintiff does not owe a federal debt, then the government will cause the payment of fees to be
2 made directly to Plaintiff's attorney, LAW OFFICE OF JARED T. WALKER, P.C., pursuant to the
3 assignment executed by Plaintiff. Any payments made to Plaintiff will be delivered to JARED T.
4 WALKER.

5 This stipulation constitutes a settlement of Plaintiff's request for EAJA attorney fees and
6 does not constitute an admission of liability on the part of defendant under the EAJA or otherwise.
7 Payment of the agreed amount will constitute a complete release from, and bar to, any and all claims
8 that Plaintiff and/or Plaintiff's attorney, including LAW OFFICE OF JARED T. WALKER, P.C.,
9 may have relating to EAJA attorney fees in connection with this action.

10 This award is without prejudice to the rights of Plaintiff's counsel to seek Social Security
11 attorney fees under 42 U.S.C. § 406(b), subject to the savings clause provisions of the EAJA.

12 Dated: January 5, 2022

Respectfully submitted,

13 /s/ Jared Walker

14 JARED T. WALKER,
Attorney for Plaintiff

15 SO STIPULATED:

16 PHILLIP A. TALBERT
17 Acting United States Attorney
18 PETER THOMPSON
Acting Regional Chief Counsel, Region IX
Social Security Administration

19 By: /s/ *Margaret Lehrkind
20 MARGARET LEHRKIND
21 (*authorized by e-mail on 1/05/2022)
Special Assistant United States Attorney


22 Attorneys for Defendant
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ORDER

Based upon the parties' Stipulation for Award of Attorney Fees pursuant to the Equal Access to Justice Act (EAJA), ECF No. 31, plaintiff's motion for attorney's fees is granted, ECF No. 29, and plaintiff is awarded \$5,531.28, consisting of \$5,509.98 in fees and \$21.30 in expenses under 28 U.S.C. § 2412(d), inclusive of all amounts claimed under the EAJA, subject to and in accordance with the terms of the parties' foregoing Stipulation.

IT IS SO ORDERED.

Dated: January 13, 2022


JEREMY D. PETERSON
UNITED STATES MAGISTRATE JUDGE